

# United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

FEB 14 2015

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

## CRIMINAL COMPLAINT

Sergio David Briones-Marin  
A202 123 081 YOB: 1995 Principal  
the United Mexican States  
Edgar Omar Vazquez-Mata  
A206 507 499 YOB: 1995 CO-PRINCIPAL  
the United Mexican States  
Juan Francisco Castro-Lopez  
A202 085 352 YOB: 1992 CO-PRINCIPAL  
the United Mexican States

Case Number:  
**M-15-0230-M**

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about February 12, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Concepcion Ulloa-Ponce, citizen and national of Honduras and Celina Vanessa Medina-Cruz, citizen and national of El Salvador and Christian Orlando Molina-Martinez, citizen and national of El Salvador, along with twenty-four (24) other undocumented aliens, for a total of twenty-seven (27), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On February 09, 2015, Border Patrol Intelligence Agents received information from the Weslaco Intelligence Agents regarding a home located at 5103 Urbina Street, Edinburg, Texas. The information was obtained through a custodial interview of an undocumented alien of a residence being used to harbor undocumented alien.

On Thursday, February 12, 2015, agents conducted surveillance at the target location and at approximately 2:30, p.m., the white Trailblazer once again left the target location and drove down the block. Agents observed one of the subjects unloading five large trash bags including an empty box of gallon sized water containers into the trash bin.  
**SEE ATTACHED**

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Sworn to before me and subscribed in my presence,

February 14, 2015

Date

Peter E. Ormsby, U. S. Magistrate Judge  
Name and Title of Judicial Officer

[Signature]  
Signature of Complainant

Cipriano Shears Senior Patrol Agent  
Printed Name of Complainant

at McAllen, Texas  
City and State

[Signature]  
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-15-0230-M**

|            |                                    |                     |
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| <b>RE:</b> | <b>Sergio David Briones-Marin</b>  | <b>A202 123 081</b> |
|            | <b>Edgar Omar Vazquez-Mata</b>     | <b>A206 507 499</b> |
|            | <b>Juan Francisco Castro-Lopez</b> | <b>A202 085 352</b> |

**CONTINUATION:**

Agents continued to observe the target location and at approximately 3:30 p.m., agents observed the Trailblazer vehicle leave the target location. Agents notified Hidalgo County Constables Deputy F. Gaitan while they followed the vehicle and coordinated a traffic stop.

Deputy Gaitan, initiated a traffic stop near the intersection of Highway 107 and Alamo Road in Edinburg, Texas, for speeding. Constable paced the vehicle at 53 mph in a 40 mph zone which was recorded by his unit's service cruiser video recorder. Deputy Gaitan approached the driver and passenger of the vehicle along with Agents H. Almaguer and C. Garcia. The driver was identified as VASQUEZ-Mata, Edgar, the passenger was identified as BRIONES-Marin, Sergio David. Agents performed an immigration inspection on both subjects and determined both being citizens and nationals of Mexico with no legal right to enter or remain in the United States. Both subjects were placed under arrest by Border Patrol Agents and verbally advised of their Miranda Rights .

BRIONES-Marin, Sergio and VASQUEZ-Mata, Edgar understood their rights and were willing to answer questions without legal counsel present.

BRIONES stated that he was coming from his residence located at 5103 Urbina Street, Edinburg, Texas, when he was pulled over by the Hidalgo County Constable. Both subjects were advised that Border Patrol Agents were conducting surveillance of the target location due to the fact that a subject had provided information indicating that there was possible illegal activity occurring at that location, specifically the harboring of illegal aliens. When confronted with this information, BRIONES freely stated there were approximately 10 undocumented aliens currently at the residence. Agents requested and obtained written consent from BRIONES to search his residence located at 5103 Urbina Street, Edinburg, Texas.

At approximately 5:00 p.m., Border Patrol Intelligence Agents, along with Hidalgo County Constables approached the residence to conduct a consent search at 5103 Urbina Street, Edinburg, Texas. Border Patrol Supervisor M. Foster and BPA J. Dominguez knocked on the front door and identified themselves. A male subject later identified as Juan Francisco CASTRO-Lopez, answered the door. Agents conducted an immigration inspection on the subject which revealed he was a Mexican citizen illegally in the United States. SBPA Foster along with Constables and Border Patrol Agents made entry and conducted a search of the house and discovered a total of 27 subjects, all of whom were later determined to be undocumented aliens illegally present in the United States. All undocumented aliens were transported to the Weslaco Border Patrol Station for interview and processing.

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**CONTINUATION:**

**PRINCIPAL STATEMENTS:**

All three defendants were ready their Miranda Rights and they gave a statement without an attorney present.

**PRINCIPAL #1: BRIONES-Marin, Sergio**

Sergio David Briones-Marin, a citizen and national of Mexico, stated he has been smuggling aliens for about 5 months. He stated that he got involved in smuggling aliens due to his cousin threatening him. Briones stated that his cousin would call him and tell him to meet him at the flea market in Alamo, Texas, to pick up bodies to take to the stash house. At the stash house he would buy food and drinks for the aliens. Briones also stated that about every 15 days he would take trips north to drop off bodies to circumvent the checkpoint. Briones stated that he would get paid \$300 dollars for the trips up north.

**PRINCIPAL #2: VASQUEZ-Mata, Edgar**

Armando VAZQUEZ-Mata, a citizen and national of Mexico, stated that he is an employee of "David/Comino", Sergio BRIONES-Marin, who resided at the residence where the 27 undocumented aliens were stashed. VAZQUEZ stated that he gets paid \$200 to \$300 a week in order to deliver food to the residence. VAZQUEZ would drive "David/Comino" around since he did not like to drive. VAZQUEZ stated that people were dropped off at random times once a week in groups of three or four at a time, but he never transported anyone. VAZQUEZ stated that "David/Comino" and another female would transport individuals to the residence. VAZQUEZ stated that "David/Comino" was moving to reside with him at his residence in San Carlos when they were stopped by Hidalgo County Constables.

**PRINCIPAL #3: CASTRO-Lopez, Juan Francisco**

Juan Francisco Castro Lopez, a citizen and national of Mexico, stated that he was recruited by his childhood friend Sergio David Briones Marin to assist in smuggling aliens. Castro Lopez stated that he crossed on February 10, 2015 near Reynosa in a group of ten. After he crossed he was taken to the stash house where he was apprehended at today. Castro Lopez stated that he was going to be the stash house caretaker and was going to be paid \$200 to \$250 dollars a week.

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**CONTINUATION:**

**MATERIAL WITNESS STATEMENTS:**

All three material witnesses were ready their Miranda Rights and they gave a statement without an attorney present.

Concepcion ULLOA-Ponce, a citizen and national of Honduras, stated that on February 11, 2015, he crossed the Rio Grande River illegally through Reynosa, Tamaulipas into the United States. ULLOA-Ponce stated he crossed the river with nine more persons including the smuggler Principal # 3, Juan Francisco CASTRO-Lopez. He stated that a red Ford Expedition picked them up and took them to a flea-market in Alamo where he was transferred to a white Trailblazer. ULLOA-Ponce identified the driver of the white Trailblazer as Principal #1, Sergio David BRIONES-Marin. ULLOA-Ponce stated and identified another subject that was in charge of the house and also transported the undocumented aliens further north as Principal #2, Edgar VAZQUEZ-Mata. ULLOA-Ponce stated that Briones and Vazquez would threatened the people inside the house and state that they would kill our families if we did not pay the smuggling fee. They would also threatened to assault them with a large piece of wood with nails at the end.

**MATERIAL WITNESS #2:**

Celina Vanessa MEDINA-Cruz, a citizen and national of El Salvador stated she crossed illegally into the United States on February 6, 2015 through Reynosa, Tamaulipas, Mexico and into the United States west of the Hidalgo, Texas Port of Entry. She paid \$3,500.00 U.S. dollars to be smuggled to Houston, Texas.

MEDINA claims that she and a group of about 10 others walked for about two to three hours when they arrived at a road near Mission, Texas. A white car then arrived and the driver ordered them into the vehicle. She said the driver took them to a house and there the group waited two hours. They were then transported to a business parking lot where they were transferred to another vehicle driven by Sergio David BRIONES-Marin. After boarding the vehicle driven by BRIONES-Marin, they were transported to the house where they were arrested. Subject claims that when she first arrived at the home, there were at least 25 people there. She claims that Edgar VAZQUEZ, moved those people out and brought another 25 more. Medina-Cruz claims she observed VAZQUEZ move people out two times.

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**CONTINUATION:**

Subject viewed three photo line-ups and Medina-Cruz positively, Juan Francisco CASTRO-Lopez as one of the persons in charge of the house, also viewed and positively identified, Sergio David BRIONES-Marin, as the person in charge and that picked them up and transported them to 5301 Urbina St., Edinburg, TX. She also viewed and identified, VAZQUEZ-Mata, Edgar as the person that would arrive at home to pick up and leave with the undocumented aliens stashed in the house. Note: Celina Vanessa MEDINA-Cruz also made claims that BRIONES-MARIN was sexually active with her during the early morning hours of February 12, 2015. Homeland Security Investigations Special Agent Mike Blackwood and the Hidalgo County Sheriff Office Criminal Investigative Department were contacted and furthered interview MEDINA.

**MATERIAL WITNESS #3:**

Christian Orlando MOLINA-Martinez, a citizen and national of El Salvador, stated the he entered illegally into the United States on February 7, 2015. MOLINA-Martinez claims that he paid \$2,500.00 U.S. dollars to be smuggled to Houston, Texas. After crossing the Rio Grande River illegally, he and a group of about 11 arrived in Mission, Texas. Subject stated a red car arrived at their location and the driver ordered them into the vehicle. That vehicle took them to a city park parking lot. At the park they were picked up by a white pick-up truck that drove them to a Dollar Store parking lot. There they were then handed to a white SUV driven by Sergio David BRIONES-Marin. Subject states BRIONES-Marin drove them to 5301 Urbina St in Edinburg, Texas, the house they were all apprehended at. Subject claims that when he first arrived at 5301 Urbina, there were at least 25 people there.

MOLINA-Martinez positively identified Principal #3, Juan Francisco CASTRO-Lopez as the persons in charge of the house, also viewed and positively identified Principal #1, Sergio David BRIONES-Marin as the person in charge and that picked them up and transported them to 5301 Urbina St., Edinburg, TX., and also viewed and identified Principal #2, VAZQUEZ-Mata, Edgar as the person that would come in and out of the stash house.